



COUNTY OF LOS ANGELES

**Department of
Agricultural Commissioner/
Weights and Measures**

Robert G. Atkins
Chief Deputy

Kurt E. Floren
Agricultural Commissioner/
Director of Weights and Measures

12300 Lower Azusa Road
Arcadia, CA 91006-5872
<http://acwm.co.la.ca.us>

June 7, 2006

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, California 90012

Dear Supervisors,

**APPROVAL OF A MEMORANDUM OF UNDERSTANDING WITH THE CALIFORNIA
AGRICULTURAL COMMISSIONERS AND SEALERS ASSOCIATION FOR THE
ADMINISTRATION OF RESIDUAL MILL ASSESSMENT FUNDS**

IT IS RECOMMENDED THAT YOUR BOARD:

Instruct the Agricultural Commissioner to sign the attached Memorandum of Understanding with the California Agricultural Commissioners and Sealers Association (CACASA), authorizing the Department of Agricultural Commissioner/Weights and Measures (ACWM) to administer \$899,784.87 in Residual Mill Assessment funds.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

Approval of the Memorandum of Understanding will allow ACWM to administer Residual Mill Assessment funds through grants for the enhancement of local pesticide enforcement programs. To facilitate distribution of funds for designated projects per statutes and regulations, CACASA requires that the funding be administered by ACWM.

Implementation of Strategic Plan Goals

This agreement supports the County's Strategic Plan Goal #1, Service Excellence, and Goal #2, Fiscal Responsibility. It will allow ACWM to channel critical funding to the designated Project Managers for the enhancement of statewide and local pesticide enforcement programs. ACWM will recover all costs incurred from administration of the residual funds.

FISCAL IMPACT

There is no impact on net County cost, as ACWM will be reimbursed for the costs incurred to administer this pass-through grant program.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

The grants administered from these funds held in trust will enhance the uniformity and effectiveness of pesticide regulation statewide. Projects funded by these grants will improve the transfer of data, provide better information regarding pesticide use among the Counties, and provide for focused and expanded regulatory activity to address specified pesticide use issues of local, regional, and statewide concern. The resulting inspection and enforcement actions will strengthen the effectiveness of the cooperative County Agricultural Commissioner system while helping to identify weaknesses for improvement and successful compliance-gaining processes for implementation elsewhere.

These funds are derived from mill assessments paid on wholesale sales of pesticides in accordance with applicable statutes and regulations and are paid to Counties for pesticide regulation activities. Recent identification and collection of previous non-payments of these assessments created the opportunity for this trust fund and the subsequent grants to make strategic improvements in communication, data sharing, and regulatory programs.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

Administering this program will not reduce current services or projects.

CONCLUSION

When approved, please return to this Department two (2) copies along with the minute order instructing the Agricultural Commissioner to sign.

Respectfully submitted,



KURT E. FLOREN
Agricultural Commissioner/
Director of Weights and Measures

KEF:RGA:awp

c: Chief Administrative Officer
County Counsel

MEMORANDUM OF UNDERSTANDING
BETWEEN
THE LOS ANGELES COUNTY AGRICULTURAL COMMISSIONER
AND
THE CALIFORNIA AGRICULTURAL COMMISSIONERS AND SEALERS
ASSOCIATION
FOR DISBURSEMENT OF RESIDUAL MILL ASSESSMENT FUNDS
TO ENHANCE LOCAL PESTICIDE ENFORCEMENT PROGRAMS

BACKGROUND

The California Department of Pesticide Regulation (DPR) together with the County Agricultural Commissioners (CACs) protect human health and the environment by regulating pesticide sales and use and fostering reduced-risk pest management. To ensure compliance with the nation's toughest pesticide laws, California has the largest and best-trained enforcement organization in the country. Local use enforcement of pesticide laws and regulations is carried out at the local level through the County Agricultural Commissioners. CACs and their staffs have primary responsibility for local enforcement activities. The California Agricultural Commissioners and Sealers Association (CACASA) is the official representative body on behalf of the CACs and sealers (California Food and Agricultural Code [FAC] section 2003).

Funding for local pesticide field enforcement activities comes from four sources: pesticide mill assessment, locally generated fees and penalties, county general fund, and unclaimed gas tax. Mill assessment is a fee levied on the sale of pesticides sold for use in California. Under statute and regulation, DPR collects and distributes mill assessment to the counties as partial reimbursement for their cost of carrying out the pesticide enforcement program.

SCOPE

The purpose of this Memorandum of Understanding (MOU) between CACASA and the Los Angeles County Agricultural Commissioner (LACAC) is to establish the processes and procedures that shall be followed by the parties to this agreement relative to holding in trust, invoicing for work performed, and distribution and accounting of the CACs' residual mill assessments funds, which are to be used to support county initiatives that will enhance local county pesticide enforcement programs. This MOU is intended to establish the roles and responsibilities with which the respective authorities of CACASA and LACAC shall comply in carrying out the mutually agreed upon objectives associated with expenditures of residual mill assessment funds.

STATUTORY AND REGULATORY AUTHORITIES

DPR is mandated by California and federal law to protect human health and the environment by regulating pesticide sales and use and by fostering reduced-risk pest management. DPR's strict oversight includes extensive scientific product evaluation and registration as well as statewide licensing and certification of commercial applicators,

dealers, and advisers. Field enforcement of regulations governing pesticide use is carried out by the CACs under DPR's supervision.

A significant portion of each county's funding for local pesticide field enforcement activities comes from mill assessment. Mill assessment is a fee levied on the sale of pesticides sold for use in California. Under statute and regulation, DPR collects and distributes mill assessment to the counties as partial reimbursement for their cost of carrying out the pesticide enforcement program.

All persons who are the first to sell DPR-registered pesticide products in California are assessed a mill (\$0.001) fee. This fee is established by statute and the rate is set through regulation. The current mill assessment rate is 21 mills, or \$0.021 per dollar of pesticides sold. Existing law requires DPR to reimburse counties (from the revenue collected from mill assessment) for the cost incurred in enforcing FAC Division 6 (commencing with section 11401) and FAC Division 7, Chapter 2 (including section 12979, as enacted by Chapter 1200, Statutes of 1989), Chapter 3 (commencing with section 14001), Chapter 3.4 (commencing with section 14090), Chapter 3.5 (commencing with section 14010), and Chapter 7 (commencing with section 15201). The amount distributed to the counties equals the revenue derived from 7.6 mills of the total mill assessment revenue collected by DPR.

FAC section 12844 requires the Director of DPR and CACs to jointly develop regulations specifying the criteria to be used in allocating the mill assessment funds to the counties. These regulations are established in Title 3 California Code of Regulations (CCR) sections 6391 through 6396.

Title 3 CCR section 6396 (effective February 11, 2006) was established to provide a mechanism for disbursement of mill funds remaining after the application of CCR section 6395, minimum reimbursement (CAC baseline amount). CCR section 6396 provides that any, or all, of the residual funds may be allocated for support of restricted-materials permitting and reporting system activities or any other program element mutually agreed upon by the DPR Director and CACASA. Remaining residual funds not specifically agreed upon may be distributed proportionately to each county pursuant to the criteria in CCR section 6393 or be deposited into a trust account for use in funding future projects.

PRINCIPLES OF AGREEMENT

LACAC will hold in trust residual mill assessment funds that have been distributed to LACAC by DPR for future disbursement to CAC members of CACASA. As stipulated in the March 30, 2006, letter from CACASA to the Director of DPR (Attachment A) and as amended by the May 24, 2006, letter of proposed changes from CACASA to DPR (Attachment B) and the May 25, 2006, letter of acceptance from DPR to CACASA (Attachment C), CACASA will, in regard to the residual 2005 mill assessment funds, designate project-manager counties (PMCs) to collaborate with DPR to secure mutually

beneficial program enhancements that will result in improved pesticide use enforcement programs. Thereafter, in regard to residual mill funds for each year following 2005, project proposals, evaluations of proposals, disbursement approvals, and directives for disbursement will be in accordance with the Protocol for Residual Mill-Funded Activities to Enhance County Pesticide Enforcement Programs approved and adopted by CACASA (Attachment D).

In accordance with CCR section 6396, the CACASA President will annually send a letter to the DPR Director requesting acceptance of proposed county projects and initiatives to be supported by the residual mill funds. Residual mill assessment funds dedicated to these county projects and initiatives will be held in trust by LACAC for future disbursement as directed by the mutual agreement of the designated PMC, CACASA President, and DPR Director. The appointed CAC for the designated PMC, the CACASA President, and the DPR Enforcement Branch Chief will be authorized to request disbursement.

A formal letter of authorization to disburse funds from the trust account will be sent from the CACASA President to the Los Angeles County Agricultural Commissioner, bearing each of the appropriate authorized signatures of the appointed CAC for the designated PMC, the DPR Enforcement Branch Chief, and the CACASA President. Receipt of such letter by the LACAC will be required to issue a warrant for payment from the related trust account.

LACAC agrees to:

1. Hold in trust the designated residual mill fund money and administer payments from the trust account for use as specified in this agreement and in Attachments A, B, C and D.
2. Follow acceptable administrative and accounting practices.
3. Provide a quarterly accounting report to CACASA and DPR of all expenditures from the trust account.
4. Immediately inform the CACASA President whenever there exists a discrepancy in the trust fund balance.

CACASA agrees to:

1. Coordinate with DPR and PMCs to monitor and evaluate county project implementation, ongoing project status, and associated funding requests for the annually agreed upon projects and initiatives between DPR and CACASA.
2. Provide LACAC with timely notification of authorization for residual mill fund disbursement and appropriate documentation of approval and directives for such disbursements in accordance with this agreement and Attachments A, B, C, and D.

INDEMNIFICATION

To the extent allowable by law, each party to this MOU hereby agrees to hold harmless each and one another and the respective agencies, officers, agents and employees of each from any liability imposed for injury or damage to property caused by any act or omission arising out of the performance of this MOU by any party, but only in proportion to, and to the extent that, such liability arises as a result of the negligence or willful misconduct of the party, its agencies, officers, agents, and/or employees or anyone acting under the party's direction or control or on the respective party's own behalf.

INSURANCE

Both parties shall maintain proof of an adequate insurance policy and/or self-insurance through the term of the MOU.

This MOU shall become effective upon the date of final signature and shall continue in effect until modified by the mutual written consent of the parties or until terminated by any party upon a thirty-day advance written notice to the other party.

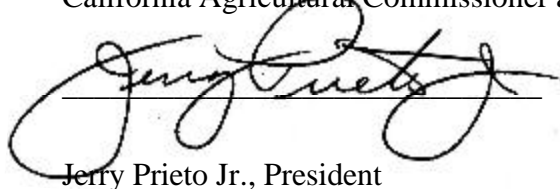
SIGNATORIES

Los Angeles County Agricultural Commissioner

Kurt Floren, Commissioner

Date

California Agricultural Commissioner and Sealers Association



Jerry Prieto Jr., President

June 7, 2006

Date

CALIFORNIA AGRICULTURAL COMMISSIONERS & SEALERS ASSOCIATION

March 30, 2006

Ms. Mary-Ann Warmerdam, Director
California Department of Pesticide Regulation
1001 I Street
P.O. Box 4015
Sacramento, CA 95812-4015

Dear Director Warmerdam:

Thank you for your letter of March 21, 2006, confirming acceptance of the California Agricultural Commissioners and Sealers Association (CACASA) Board of Directors' proposal for disbursement of residual 2005 mill assessment funds with specific modifications. We accept the modifications and agree that this will result in improved pesticide use enforcement programs and will strengthen the partnership between state and local government to secure mutually beneficial program enhancements.

To briefly review the modifications:

1. Once all disbursement data has been collected and after applying the new disbursement criteria, a portion of the residual funds will be distributed to the counties to provide an inflationary adjustment of four percent.
2. Of the residual funds, \$390,000 will be dedicated to various projects designed to enhance the statewide pesticide use enforcement programs as follows:
 - a. \$250,000 to be used for the enhancement of the Restricted-Materials Management System (RMMS) and Agriculture Geographical Information System (AG GIS) permit systems and their use by additional counties.
 - i. Money dedicated to development of RMMS will be distributed to Los Angeles County in trust for RMMS user counties with Kings County as project manager based on its ability to carry out the project requirements.
 - ii. Money dedicated to development of AG GIS will be distributed to Los Angeles County in trust for AG GIS user counties, with Glenn County as the project manager based on its ability to carry out the project requirements.

Jerry Prieto, Jr., President
Fresno County
Agricultural Commissioner
Sealer of Weights & Measures
1730 South Maple Avenue
Fresno, CA 93702

Mary Pfeiffer, Vice President
(Agriculture)
Shasta County
Agricultural Commissioner
Sealer of Weights & Measures
3179 Bechelli Lane, Suite 210
Redding, CA 96002

Jim Delperdang, Vice President
(Weights & Measures)
Ventura County
Sealer of Weights & Measures
800 S. Victoria Avenue, #1750
Ventura, CA 93009

Edward Meyer, Executive Secretary
Contra Costa County
Agricultural Commissioner
Sealer of Weights & Measures
2366 "A" Stanwell Circle
Concord, CA 94520

Mary-Ann Warmerdam, Director, CDPR

The Department of Pesticide Regulation (DPR) will contribute \$250,000 of State Operating Funds through a contract with Los Angeles County. DPR will work with the designated project managers to support enhancements and the implementation of RMMS and AG GIS in counties opting to use either system. Project scope, deliverables, and completion criteria for the RMMS and AG GIS systems will result in the expenditure of monies by June 30, 2008.

- b. \$110,000 will be used to enable each county to pilot and evaluate an automated inspection report process to provide a more effective, efficient, and accurate means to capture, transmit, and analyze data for use by DPR and the counties.
 - i. The money dedicated to this pilot project will be disbursed to Los Angeles County in trust for all counties, with Santa Clara County designated as project manager based on its ability to carry out the project requirements.

DPR will contribute \$275,000 of State Operating Funds through a contract with Los Angeles County. DPR will work with the designated project manager to support the implementation of this project. Project scope, deliverables, and completion criteria for the automated inspection report pilot project will result in the expenditure of monies by June 30, 2008.

- c. \$30,000 will be used to further develop and manage a computer-user website.
 - i. Money dedicated to this project will be distributed to Los Angeles County in trust for all counties, with Kings and Shasta counties designated as the project managers based on their ability to carry out the project requirements.
- 3. Of the residual funds, \$55,000 will be dedicated to support development of hearing officer and advocacy training.
 - a. The funding should not be limited to development, but also used to help fund a hearing officer resource for counties that need that service.
 - i. The money dedicated to this project will be distributed to Los Angeles County in trust for all counties. Los Angeles County will serve as the project manager based on its ability to carry out the project requirements.

DPR will contribute to this initiative by funding and providing staffing for the development of hearing officer and advocacy training that ensures sufficient depth and breadth of the subject matter to support county needs.

Project scope, deliverables, and completion criteria for the hearing officer training and advocacy training will result in the expenditure of monies by June 30, 2007.

Mary-Ann Warmerdam, Director, CDPH

4. The remaining residual funds will be allocated, on an as-needed basis, for additional projects and staff resources dedicated to work in multiple counties to address specific regional program initiatives. These funds are to be used to augment, and not supplant, funding for existing programs, and/or they are to be used to provide new program enhancements that are prioritized and selected cooperatively by CACASA and the DPR Director. Examples of how this money shall be used would include, but not be limited to:
 - a. Provide staff for those counties that most need to supplement their enforcement programs.
 - b. Provide training and outreach materials for applicators and the public on safe handling of pesticides, proper equipment calibration, explaining laws and regulations, etc.
 - c. Provide staff resources to be used in multiple counties.
 - d. Provide funding for project proposals offered by individual counties.
 - e. Any project administrative overhead costs/charges.

The money dedicated to these projects will be distributed to Los Angeles County in trust for all counties. The project manager for the use of the remaining residual funds will be determined once specific initiatives are established. Use of these remaining residual funds will result in expenditure of monies by June 30, 2008.

5. Counties will have their annual work plans amended to include the proposed projects, and designated project managers will be expected to annually report on the progress of the projects to CACASA and DPR, or more often if warranted/determined by specific project deliverables.
6. DPR understands Los Angeles County and those counties designated as project managers for the aforementioned projects will be entitled to a small administrative overhead charge to be determined by CACASA, but not at the customary 25 percent rate. We recommend that any administrative charge be secured from the remaining residual funds allotted in number 4 above to ensure the success of the projects.

DPR acknowledges that should there be interest accrued or money unexpended by Los Angeles County for any of the above projects and initiatives, the money will continue to be held in trust by Los Angeles County for future residual funds disbursement considerations and agreements with the counties. DPR expects Los Angeles County will follow acceptable administrative and accounting practices and will provide, at least annually, a full accounting of all expenditures from these trust accounts to both CACASA and DPR. These trust accounts shall be subject to audit.

Mary-Ann Warmerdam, Director, CDPR

I understand that upon receipt of this final acceptance, and in keeping with California Code of Regulations Section 6396 based on the final 2004/05 Pesticide Regulatory Activities Monthly Report workload data, you will direct DPR's Product Compliance and Mill Assessment Branch to disburse checks via the State Controller's Office to the counties by April 1, 2006.

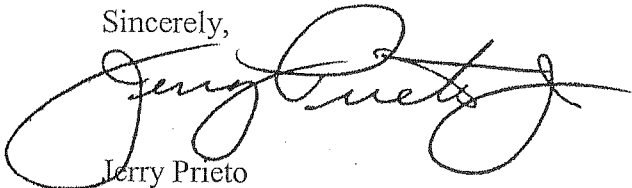
DPR's Division of Administrative Services will manage the state operations contracting activity in support of the specific projects noted. As you noted, we anticipate that this support will be via the state contract process. Attached is the standard state contract and budget control language that you provided

DPR's Information Technology Branch will be working on the two projects associated with RMMS/AG GIS and the automated inspection-reporting pilot. DPR's Enforcement Branch will be responsible for preparing the amendments to the county work plans to capture the aforementioned projects.

I confirm that Mr. Frank Carl, Chair of CACASA's Mill Assessment Subcommittee (a part of the Pesticide Regulatory Affairs Committee), will be CACASA's contact for all follow-up matters, questions, and action items relative to this agreement.

We, too, look forward to the opportunity to work with you and DPR staff as we seek to strengthen the State of California's pesticide use enforcement programs.

Sincerely,



Jerry Prieto
President

cc: Mr. Frank Carl (w/Attachment)
Mr. Kurt Floren, Los Angeles County Agricultural Commissioner (w/Attachment)
Mr. Jerry Howard, Solano County Agricultural Commissioner (w/Attachment)
Mr. Tim Niswander, Kings County Agricultural Commissioner (w/Attachment)
Ms. Mary Pfeiffer, Shasta County Agricultural Commissioner (w/Attachment)
Mr. Greg Van Wassenhove, Santa Clara County Agricultural Commissioner (w/Attachment)
Mr. Mark Black, Glenn County Agricultural Commissioner (w/Attachment)
Mr. James Shattuck, DPR's Agricultural Commissioner Liaison (w/Attachment)

State Contract and Budget Control Language

State Budget Contingency Clause

- A. It is mutually agreed that if the Budget Act of the current year and/or any subsequent years covered under this Agreement does not appropriate sufficient funds for the program, this Agreement shall be of no further force and effect. In this event, the State shall have no liability to pay any funds whatsoever to the Contractor or to furnish any other considerations under this Agreement and the Contractor shall not be obligated to perform any provisions of this Agreement.
- B. If funding for any fiscal year is reduced or deleted by the Budget Act for purposes of this program, the State shall have the option to either cancel this Agreement with no liability occurring to the State, or offer an agreement amendment to the Contractor to reflect the reduced amount.

State of California Approvals:

This Agreement is of no force or effect until signed by both parties and approved by the Department of General Services, if required. Contractor may not commence performance until such approval has been obtained.



May 24, 2006

Ms. Mary-Ann Warmerdam, Director
California Department of Pesticide Regulation
1001 I Street
P.O. Box 4015
Sacramento CA 95812-4015

Dear Director Warmerdam:

It has been brought to my attention that there are some logistical problems with our original proposal for disbursement of the 2005 residual mill assessment funds and any supporting state operations funds to improve county pesticide use enforcement programs. My March 30, 2006 letter to you outlined specific projects and the associated funding necessary to support them. On behalf of CACASA, I am requesting the following change with regard to the projects identified in item 2. It should now read as follows:

1. Of the residual funds, \$390,000 will be dedicated to various projects designed to enhance the statewide pesticide use enforcement programs as follows:
 - a. Based upon the survey results of user counties, \$250,000 is to be used for the enhancement of the Restricted Materials Management System (RMMS) and Agriculture Geographic Information System (AG GIS) permits systems and their use by additional counties.
 - i. Money dedicated to development of RMMS (approximately \$200,000) will be distributed to Los Angeles County in trust for RMMS user counties with Kings County as the project manager based on their ability to carry out the project requirements.
 - ii. Money dedicated to development of AG GIS (approximately \$50,000) will be distributed to Los Angeles County in trust for AG GIS user counties, with Glenn County as the project manager based upon their ability to carry out the project requirements.

The Department of Pesticide Regulation (DPR) will contribute \$250,000 of State Operating Funds through a contract with the Glenn County Agricultural Commissioner for the support of AG GIS user counties.

Jerry Prieto, Jr., President
Fresno County
Agricultural Commissioner
Sealer of Weights & Measures
1730 South Maple Avenue
Fresno, CA 93702

Mary Pfeiffer, Vice President
(Agriculture)
Shasta County
Agricultural Commissioner
Sealer of Weights & Measures
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Redding, CA 96002

Jim Delperdang, Vice President
(Weights & Measures)
Ventura County
Sealer of Weights & Measures
800 S. Victoria Avenue, #1750
Ventura, CA 93009

Edward Meyer, Executive Secretary
Contra Costa County
Agricultural Commissioner
Sealer of Weights & Measures
2366 "A" Stanwell Circle
Concord, CA 94502

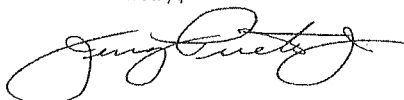
DPR will work with these designated projects managers to support enhancements and the implementation of RMMS and AG GIS in counties opting to use either system. Project scope, deliverables and completion criteria for the RMMS and AG GIS systems will result in the expenditures of monies by June 30, 2008.

- b. \$110,000 will be used to enable each county to pilot and evaluate an automated inspection report process to provide a more effective, efficient and accurate means to capture, transmit and analyze data for use by DPR and the counties.
 - i. The money dedicated to this pilot project will be disbursed to Los Angeles County in trust for all counties, with Sacramento County designated as the project manager based upon their ability to carry out the project requirements:

DPR will contribute \$275,000 of State Operating Funds through a contract with Sacramento County to support the implementation of this project. Project scope, deliverables and completion criteria for the automated inspection report pilot project will result in the expenditures of monies by June 30, 2008.

All other aspects or provisions of CACASA's March 30, 2006 letter to you regarding the use of residual funds remain the same. Please confirm as soon as possible, that these changes are acceptable to you. It is acknowledged that DPR will be transmitting the residual mill fund dollars to Los Angeles County upon establishment of the trust account.

Sincerely,



Jerry Prieto

JPJ:cbh

cc: All originals from March 30 letter
CACASAPresletter



Department of Pesticide Regulation



Mary-Ann Warmerdam
Director

Arnold Schwarzenegger
Governor

May 25, 2006

Mr. Jerry Prieto, President
California Agricultural Commissioners
and Sealers Association
1730 South Maple Avenue
Fresno, California 93702

Dear Mr. Prieto:

I have received the California Agricultural Commissioners and Sealers Association's (CACASA's) request to amend its proposal for disbursement of residual 2005 mill assessment and state operating funds, dedicated to enhance the statewide pesticide use enforcement program. It is my understanding that these changes will better facilitate the project management of CACASA-member county initiatives.

I accept your requested changes as proposed. It should be noted that our disbursement of these state operating funds, earmarked to support county enhancements for pesticide permitting and use reporting systems, should not be construed as an endorsement of one system over the other. The allocation of funds is based solely on CACASA membership's direction. Please proceed with the necessary efforts on your organization's part to facilitate our distribution of these funds.

We look forward to this partnership and believe it will strengthen California's pesticide enforcement program.

Sincerely,

for:

Mary-Ann Warmerdam
Director
(916) 445-4000

cc: See next page.



Mr. Jerry Prieto
May 25, 2006
Page 2

cc: Mr. Frank Carl, Sacramento County Agricultural Commissioner
Mr. Kurt Floren, Los Angeles County Agricultural Commissioner
Mr. Jerry Howard, Solano County Agricultural Commissioner
Mr. Tim Niswander, Kings County Agricultural Commissioner
Ms. Mary Pfeiffer, Shasta County Agricultural Commissioner
Mr. Greg Van Wassenhove, Santa Clara County Agricultural Commissioner
Mr. Mark Black, Glenn County Agricultural Commissioner
Mr. James Shattuck, DPR's Agricultural Commissioner Liaison

Mr. Jerry Prieto

May 25, 2006

Page 3

bcc: Paul Gosselin

Jerry Campbell

JoAnne Payan

Scott Paulsen

George Farnsworth

Larry Wasson

Anise Severns

**California Code of Regulations Section 6396
Protocol for Residual Mill-Funded Activities to
Enhance County Pesticide Enforcement Programs**

California Code of Regulations (CCR) section 6396 (effective February 11, 2006) was established to provide a mechanism for disbursement of the mill funds remaining after the application of CCR section 6395, minimum reimbursement (county agricultural commissioner baseline amount). CCR section 6396 provides that any, or all, of the residual funds may be allocated for support of restricted-materials permitting and reporting system activities, or any other program element mutually agreed upon by the Director of the Department of Pesticide Regulation (DPR) and the California Agricultural Commissioners and Sealers Association (CACASA). Remaining residual funds not specifically agreed upon may be distributed proportionately to each county pursuant to the criteria in CCR section 6393 or deposited into a county trust account, as designated by CACASA, for county projects and initiatives. The following protocol outlines the time lines for facilitating commissioner proposals for residual-funded activities.

1. April
Mill disbursement to the counties is made including residual funds.
2. CACASA Spring Conference (May)
DPR and CACASA will discuss and consider joint program priorities for funding projects to begin the following July. These areas have been generally identified and include, but are not limited to:
 - a. Staffing to augment local enforcement programs in a county.
 - b. Pesticide safety training for applicators and outreach for the general public.
 - c. Staffing to support multiple counties.
 - d. Specific project proposals by individual counties.

CACs will receive instructions for the development of project proposals from the Pesticide Regulatory Affairs Committee (PRAC) Chair. All proposals should be forwarded to the PRAC Chair. All projects shall be submitted no later than two weeks prior to the fall interim meeting. The Chair will forward proposals to PRAC's mill subcommittee for review and consideration for funding. DPR and designated project counties will report on ongoing projects.

3. CACASA Interim Meeting (August)
PRAC's mill subcommittee will discuss:
 - a. Project proposals received for the following year, and will begin review and prioritization for recommendation at the Winter Conference.
 - b. Project-manager counties will report on the programmatic and fiscal status of residual-fund projects.

4. CACASA Winter Conference (November)
Topics of discussion will be:
 - a. The PRAC's mill subcommittee recommendations for approval of projects by CACASA Board of Directors.
 - b. Preliminary report on residual mill fund estimate for the current year issued by DPR.
5. January 1
The CACASA President will send a letter to the DPR Director recommending approval of projects to begin the following July. The letter must indicate the project scope, funding amount, and county for disbursement.
6. February 1
The DPR Director will send a response letter to the CACASA President on agreed-upon recommendations for the remaining residual-funded projects to begin July.
7. CACASA Interim Meeting (February)
 - a. Project-manager counties will report on the programmatic and fiscal status of ongoing projects.
 - b. A decision regarding the April 1 disbursement of residual funds will be made.
 - c. DPR will provide an update on the availability of residual mill funds for projects beginning in July of the following year.
8. March 1
The CACASA President will send a letter to the DPR Director recommending actions for the April 1 disbursement of residual funds.
9. March 15
The DPR Director will send a response letter to the CACASA President on agreed-upon recommendations for the disbursement of residual funds.
10. April 1
Mill and residual funds will be disbursed to the counties.
11. REPEAT PROCESS.